UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 18 2015

CERTIFIED MAIL 7009 1680 0000 0767 9579
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Duane Smith
Associate Director, Environmental, Health & Safety Department
Boehringer Ingelheim Roxane Inc.
1809 Wilson Road
Columbus, Ohio 43216

Re: Notice of Violation
Compliance Evaluation Inspection
OHD981791759

Dear Mr. Smith:

On July 15, 2015, a representative of the U.S. Environmental Protection Agency inspected the Boehringer Ingelheim Roxane Inc. facility located in Columbus, Ohio (Boehringer). As a large quantity generator of hazardous waste, Boehringer is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq*. (RCRA). The purpose of the inspection was to evaluate Boehringer's compliance with certain provisions of RCRA. A copy of the inspection report is enclosed for your reference.

Based on information provided by Boehringer, EPA's review of records pertaining to Boehringer, and the inspector's observations, EPA has determined that Boehringer has unlawfully stored hazardous waste without a permit or interim status as a result of Boehringer's violation of certain requirements for a license exemption under Ohio Admin. Code § 3745-52-34(A)-(C) [40 C.F.R. § 262.34(a)-(c)]. EPA has identified the permit exemption conditions with which Boehringer was out of compliance at the time of the inspection in paragraphs 1-4, below.

Many of the conditions for a RCRA permit exemption are also independent requirements that apply to permitted and interim status hazardous waste management facilities that treat, store, or dispose of hazardous waste (TSD requirements). When a hazardous waste generator loses its permit exemption due to a failure to comply with an exemption condition incorporated from Ohio Admin. Code chs. 3745-65 to 68 and 3745-256, the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement. The exemption conditions identified in paragraphs 2-4 are also independent TSD requirements incorporated from Ohio Admin. Code chs. 3745-65 to 68 and 3745-256. Accordingly, each failure of Boehringer to comply with these conditions is also a violation of the corresponding requirement in Ohio Admin. Code chs. 3745-65 to 68 and 3745-256 [40 C.F.R. Part 265].

Storage of Hazardous Waste without a License or Interim Status

At the time of the inspection, Boehringer violated the following large quantity generator license exemption requirements:

1. Date When Each Period of Accumulation Begins

Under Ohio Admin. Code § 3745-52-34(A)(2) [40 C.F.R. § 262.34(a)(2)], a large quantity generator must clearly mark each container holding hazardous waste with the date upon which each period of accumulation begins.

At the time of the inspection, Boehringer maintained two 55-gallon drum of ignitable hazardous waste in the facility's outdoor 90-day storage area that were not marked with the date upon which accumulation of hazardous waste began.

The permit exemption conditions identified below in paragraphs 2-4 are also independent TSD requirements violated by Boehringer:

2. Content of Contingency Plan

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-52(D) [40 C.F.R. §§ 262.34(a)(4) and 265.52(d)], a large quantity generator's contingency plan must include home addresses of personnel designated as emergency coordinators.

At the time of the inspection, Boehringer did not include home addresses of its emergency coordinators in the facility's contingency plan.

3. Aisle Space

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-35 [40 C.F.R. §§ 262.34(a)(4) and 265.35], a large quantity generator must provide aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of the above-mentioned purposes.

At the time of the inspection, Boehringer did not maintain required aisle space for its outdoor 90-day hazardous waste building.

4. Container Inspections

Under Ohio Admin. Code §§ 3745-52-34(A)(1)(a) and 3745-65-74 [40 C.F.R. §§ 262.34(a)(1)(1) and 265.174], a large quantity generator must inspect areas where containers are stored, at least

once during the period from Sunday to Saturday, looking for leaks and for deterioration caused by corrosion or other factors.

At the time of the inspection, Boehringer failed to inspect parts of the outdoor 90-day hazardous waste storage area due to lack of aisle space.

Summary: By failing to comply with the conditions for a permit exemption, above, Boehringer became an operator of a hazardous waste storage facility, and was required to obtain an Ohio hazardous waste storage permit. Boehringer failed to apply for such a permit. Boehringer's failure to apply for and obtain a hazardous waste storage permit violated the requirements of Ohio Admin. Code §§ 3745-50-45(A) and 3745-50-41(A) and (D) [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)]. Any failure to comply with a permit exemption condition incorporated from Ohio Admin. Code chs. 3745-65 to 68 and 3745-256 is also an independent violation of the corresponding TSD requirement.

At this time, EPA is not requiring Boehringer to apply for an Ohio hazardous waste storage permit so long as it immediately establishes compliance with the conditions for a permit exemption outlined in paragraphs 1-4, above.

During the inspection, as observed by EPA, and after the inspection, as documented in a July 28, 2015 email to EPA, you took certain actions to establish compliance with the above conditions and contingency plan requirement. Your letter or email did not include any actions you may have taken related to conditions and aisle space and container inspection requirements in paragraph(s) 3 and 4. According to Section 3008(a) of RCRA, EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both. Although this letter is not such an order or a request for information under Section 3007 of RCRA, 42 U.S.C. § 6927, we request that you submit a response in writing to us no later than 30 days after receipt of this letter documenting the actions, if any, you have taken related to paragraphs 3 and 4. You should submit your response to Derrick Samaranski, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604."

If you have any questions regarding this letter, please contact Mr. Samaranski, of my staff, at 312-886-7812 or at Samaranski.Derrick@epa.gov.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Daniel Dimeo, Ohio EPA, Daniel.Dimeo@epa.ohio.gov
Teri Finfrock, Ohio EPA, Teri.Finfrock@epa.ohio.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5, LCD, RCRA BRANCH, LR-8J
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME:	Boehringer Ingelheim Roxane Inc.
EPA ID No.:	OHD981791759
ADDRESS:	1809 Wilson Road Columbus, Ohio 43216
DATE OF INSPECTION:	July 15, 2015
EPA INSPECTOR:	Derrick Samaranski, LCD, RCRA, CS2

PREPARED BY: Derrick Samaranski — 09/23/15 **Date Completed**

APPROVED BY: **Julie Morris, Chief**
Compliance Section 2 — 9/28/15 **Date**

Purpose of Inspection

I conducted an unannounced Compliance Evaluation Inspection (CEI or "Inspection") of Boehringer Ingelheim Roxane Inc. ("Facility" or "Boehringer") located in Columbus, Ohio. This CEI was an evaluation of Boehringer's compliance with hazardous waste regulations found at Ohio Administrative Code (OAC) and the Code of Federal Regulations (CFR). The RCRA CEI was led by the U.S. Environmental Protection Agency.

Participants

Inspector(s):

Derrick Samaranski, U.S. EPA
Daniel Dimeo, Ohio EPA

Site Representatives:

Mark Slaiman, Specialist II, Environmental, Health, & Safety
Douglas M. Lipps, Ph. D., Vice President, Quality
Duane Smith, Associate Director, Environmental, Health & Safety Department

Introduction

We arrived at the location of the Boehringer facility around 9:30 AM, and proceeded to reception area where a receptionist informed us that Mr. Slainman would be arriving shortly to meet with us. Mr. Slaiman arrived in the reception area shortly after our arrival and was accompanied by Mr. Smith. I presented my official credentials to the facility representatives, gave them my business card, and explained the purpose of our visit. During the opening conference I asked for a description of the Boehringer's operations and a listing of solid and hazardous waste streams generated by the facility.

Site Description

The following information about Boehringer is based on the personal observations of the EPA inspector and on representations made during the Inspection by the Facility personnel identified above or is otherwise specified.

Boehringer is a pharmaceutical manufacturer who produces over 100 different generic and brand name respiratory therapy formulations in liquid and solid doses. Boehringer has been at the current location since 1978 and expanded its operations over the decades and to two buildings Bldgs. 1809 and 1810. The facility currently employs approximately 1000 workers and occupies total of over 800,000 square feet of manufacturing, laboratory, research and development and office area. Majority of production and hazardous waste generation is conducted in Bldg. 1809. Both building locations have been issued separate U.S. EPA Id. Numbers and operate as separate

hazardous waste generators. In the future the Boehringer intends to combine the waste generation actives under one generator number by completing a new on-site road which will allow it to treat both locations as being contiguous.

Hazardous wastes at Boehringer are mostly generated from the operation of the various laboratories which regularly generate: spent solvents, heavy metals, corrosive wastes, used protective equipment, lab packs, spent alcohols, and mercury wastes. The regularly generated hazardous wastes from the labs are first collected in satellite containers which are transferred to the indoor 90-day storage area and then to the newly constructed outdoor 90-day storage building. Lab packs are also generated on regular basis and are transferred to the outdoor 90-day storage area before disposal. In addition to regularly generated hazardous waste streams laboratories may generate clean-up wastes, and expired or off-speck products or raw materials.

Manufacturing operations generate hazardous wastes from the cleaning operations which use caustics and alcohols, process disruptions, and failures to meet strict quality controls. Rejected raw materials and products are characterized and offered for destruction by incineration. Satellite areas are setup in the production areas for the collection of hazardous waste before 90-day storage and disposal off-site.

Support operations at Boehringer generate maintenance wastes and universal wastes which include used oil, used batteries, and fluorescent lamps.

I informed Boehringer representatives that Boehringer could claim any information gathered during the inspection as Confidential Business information including: verbal information, documents and photographs. Boehringer did not make a CBI claim on the information gathered during the inspection.

Site Tour

The site walk-through of the facility started at 11:17 AM, and began with a visit to the facility's raw material warehouse and material transition zone. The material transition zone serves as a contamination free distribution area for incoming materials and transfer area for outgoing materials. At the time of our visit to the warehouse, I observed two 55-gallon drums of hazardous waste in the designated transition zone. The hazardous waste came from the lab; drums were labeled as hazardous waste and dated with accumulation start dates. According to the facility personnel wastes are picked-up from the transition zone daily and transferred to the designated storage areas.

Next, we visited facility's forklift maintenance area, Area #10 Boiler Room and Chiller Room. In the forklift maintenance area, I observed 55-gallon drum accumulating used oil and non-hazardous parts washer which is serviced by an outside company. The observed used oil drum was properly labeled as "Used Oil." In the Boiler Room, I observed a container of virgin

corrosive boiler water maintenance product (CorrPro 1380) which is disposed as hazardous corrosive waste if leftover after use.

From the chiller room, we visited the facility Maintenance Area #10 where I observed satellite accumulation of hazardous waste aerosols and paint waste, can of oily rags, universal waste collection area, and 55-gallon drum of used oil. The satellite drums of hazardous waste (aerosols and paint) were labeled and closed. Containers of universal wastes which included batteries, bulbs and lamps were closed, labeled and dated with accumulation start dates. The oldest universal waste container was labeled as 12/1/2014. The 55-gallon drum of used oil was properly labeled. The facility also uses the Maintenance Area #10 for the accumulation of e-wastes before recycling.

Next, we visited facility's indoor 90-day hazardous waste storage area (Chemical Storage Room). During our visit to the storage area, I observed accumulation of paint waste, vial waste, corrosives, oxidizers, off-spec pharmaceutical wastes for destruction, hazardous waste pharmaceutical aerosols, and used batteries. Corrosives and oxidizers are stored in separate lockers which are labeled as hazardous wastes and dated when a container of the waste is first placed in them. Small containers of hazardous waste in the waste lockers are kept closed. The facility keeps an inventory log of what is placed in the waste lockers. All of the observed hazardous waste containers (drums and lockers) were closed, labeled and dated with accumulation start dates. Oldest observed accumulation start date on a hazardous waste container was 06/30/2015. Universal waste container was used for the accumulation of used lead acid, nickel cadmium and lithium batteries. The container was properly labeled and dated 03/27/2015. In addition to the hazardous and universal wastes I also observed two bags and one box of material that was identified as scrap pharmaceutical waste (Aptivus). According to Mr. Slaiman some of the waste pharmaceuticals are incinerated at hazardous waste facilities. Hazardous waste drums from the material transition areas are moved to the indoor hazardous waste storage area daily.

We continued the site walk-through by visiting Boehringer's outdoor 90-day storage building, where the facility stores hazardous wastes consolidated from the indoor hazardous waste storage area. The facility's outdoor storage building is a recently constructed, fire proof, explosion proof, leak detection equipped, three cell storage unit with a total capacity of the storage unit at 96 55-gallon drums. An inventory of the hazardous waste drums is taken in the indoor hazardous waste storage area before drums are moved to the outdoor unit. Wastes are picked up for disposal from the outdoor storage unit. During our visit, the storage building held: eight 20-gallon Department of Transportation (DOT) corrosive waste pellets (unopened), pallet of containers of expired food flavoring, 40 55-gallon drums of flammable waste, and four 55-gallon drums of hazardous waste vials. The containers of expired food flavoring were shrink wrapped on the pallet and a hazardous waste label with an accumulation start date located on the wrapping. Individual containers of expired food flavoring were not labeled or dated. The flammable waste drums were shrink wrapped by four drums and stored on wooden pallets in two storage cells two levels high. Access to the back waste drums was unavailable as the drums were tightly packed and no overhead doors were present like at the loading side of the building. The facility representative

stated it conducts initial inspection of each drum before they are placed in the storage building and performs weekly inspections of the storage building thereafter. When a Boehringer employee pulled one of the front pallet of drums with a forklift I observed that two out of the four drums on the pallet behind it were missing accumulation start dates. The same employee pulled an additional pallet of drums to create some access to all of the back drums and verified that back drums were properly labeled and dated. Out of the 40 55-gallon containers of flammable hazardous waste two were missing accumulation start dates. Rest of the observed hazardous waste drums were individually labeled as hazardous waste and had waste codes and accumulation start dates indicated on the labels. The oldest date observed on one of the hazardous waste storage containers was 04/22/2015.

After visiting the Boehringer hazardous waste storage areas, we continued with the site walk-through of the facility operations by visiting the liquids product production area and solids product production area. Access to both production areas is strictly controlled to prevent contamination of products and wearing of protective equipment is required when visiting. During the site walk-through only the liquids product production area operated a satellite accumulation area where I observed accumulation of solid hazardous wastes in a 55-gallon drum. The satellite drum was closed and properly labeled.

Next, we visited the third floor of the building which serves as the designated space for Boehringer's various production, quality control, and research and development laboratories. In the quality control lab the facility accumulates hazardous wastes in satellite containers which vary from small containers which are stored under laboratory hoods or fireproof lockers to 55-gallon drums. At the time of our visit to the QC lab, I observed hazardous waste accumulation of spill waste in 55-gallon drum, containers of used acids and bases in a cabinet, and HPLC waste in a 55-gallon drum. All of the observed satellite containers were closed and properly labeled. In the Starting Material Lab Boehringer accumulates HLPC vials in a 55-gallon satellite container which at the time of our visit was closed and properly labeled as "Hazardous Waste." In the Dosage Lab I observed accumulation of HPLC vials and oxidizers waste streams in 55-gallon drums that were labeled and closed. During our visit to the lab floor we additionally visited labs 3P and HPLC lab where no hazardous wastes were being collected at the time of our visit.

The site walk-through of the facility ended with a visit to the 2nd floor AD Lab and QC Launch/Production Flow laboratory satellite areas. In the AD Lab I observed accumulation of waste vials in a 55-gallon satellite drum, small waste containers under a laboratory hood, 55-gallon drum of spent solvent, 55-gallon drum of spill waste and container of HLPC waste that did not have a hazardous waste label. With the exception of the HLPC waste container all of the observed hazardous waste satellite containers were closed and properly labeled as hazardous waste. In the QC Launch/Production Flow Lab I observed a 55-gallon satellite drum which was being used for the accumulation of the vials waste stream. The site walk-through of the facility ended at 4:20 PM.

Records Review

For the records review I requested to see the following: hazardous waste manifest records for off-site shipments for the last three years (2015-2012), hazardous waste stream determinations, training records, contingency plan, and copies of the last two annual hazardous waste reports submitted to Ohio EPA, land disposal restriction forms (LDR), weekly inspections of the hazardous waste accumulation areas, and used oil and universal waste shipment documents.

First, I reviewed a sample of Boehringer's employee training records which included training records for Troy Watson, Kathleen Murdoch, and Mark Slaiman. The reviewed records included RCRA DOT Refresher training offered in 2015 and HW Management and Shipping training from 2014. Boehringer offers various RCRA and safety related training to its employees and maintains an electronic system of training record keeping.

Next, I reviewed the facility's weekly inspection records for the two 90-day hazardous waste storage areas which were identified on the documents as Bldg. # 10 (indoor area) and Bldg. #14 (outdoor area). The reviewed records covered period from 10/6/2014 to 07/13/2015 for Bldg. #10 and 04/03/2015 to 07/13/2015. The weekly inspection records also covered condition of the emergency equipment present in each 90-day storage area. No issues of concern were noted from the review of the weekly inspection records.

Following the review of the weekly inspection records I reviewed Boehringer's contingency plan which was dated December 2014, and according to the facility representatives was in the process of modification. The December 2014 contingency plan was missing home addresses of the facility's emergency coordinators.

Next, I reviewed Boehringer's 2015 and 2014 hazardous waste manifests while Mr. Dimeo reviewed the 2013 hazardous waste manifest records. Land disposal restriction forms were attached to the hazardous waste manifests. Heritage Thermal Services (OH980613541) receives Boehringer's reject materials and products which are designated for destruction. Heritage also picks up facility's regularly generated hazardous wastes and universal wastes. Last shipment of hazardous waste occurred from the facility on 06/29/2015 and universal waste was offered for off-site shipment on 05/28/2015. Boehringer offers its hazardous waste for off-site shipment once every 90-dys or less and universal wastes several times a year.

For the waste determination records, I reviewed waste approvals for hazardous waste streams generated by the facility and offered for disposal to Heritage.

The records review ended with the review of the facility's 2013 and 2011 Biannual Hazardous Waste Reports which were submitted to Ohio EPA on 02/24/2014 and 02/23/2012, respectively.

Closing Conference

For the inspection close-out conference we discussed inspection procedures of the outdoor 90-day hazardous waste storage and correction to the facility's contingency plan. I gave the facility representatives the EPA Small Business Resource Sheet and Ohio's Onsite Pollution Prevention Assistance handout. The inspection of the facility ended at 6:50 PM.

Post-Inspection

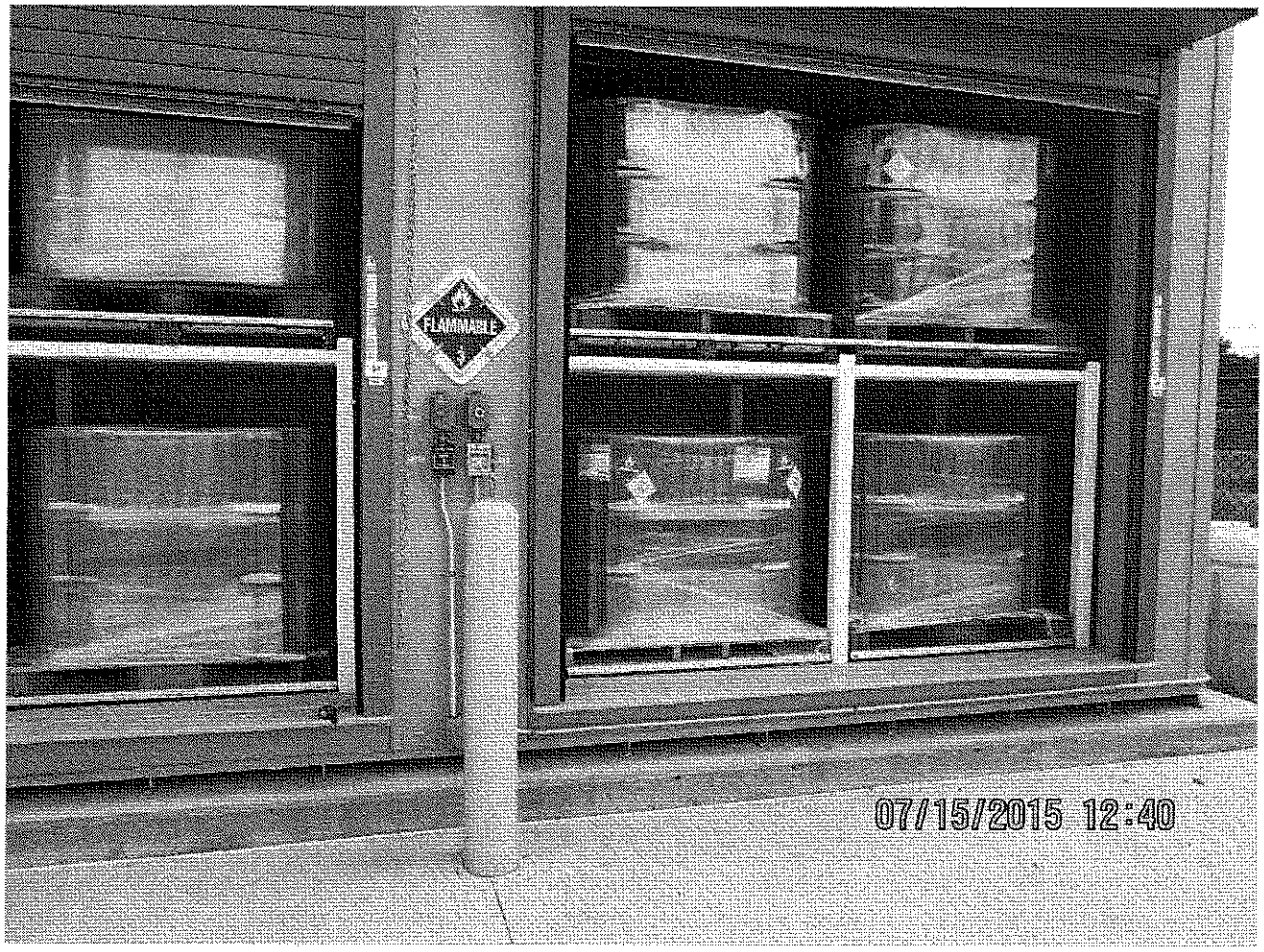
Following the inspection on 07/23/2015, I received an e-mail from Mr. Smith regarding two hazardous waste containers missing accumulation start dates and emergency coordinator home addresses in the facility's contingency plan. Mr. Smith provided me with a copy of a page out of the facility's contingency plan which included the missing home addresses, and copies of pictures corrected missing accumulations start dates.

Attachments

A. Photographs
B. Checklists
C. List of Documents Copied/Obtained During Inspection
D. CD of All Photos Taken During the Inspection

ATTACHMENT A
Photographs

Boehringer Ingelheim Roxane Inc.
OHD981791759



Photograph Number: 1

Photographer: Derrick Samaranski

Photograph Description: Outdoor 90-day storage area showing cell number 3 numbered from left to right.

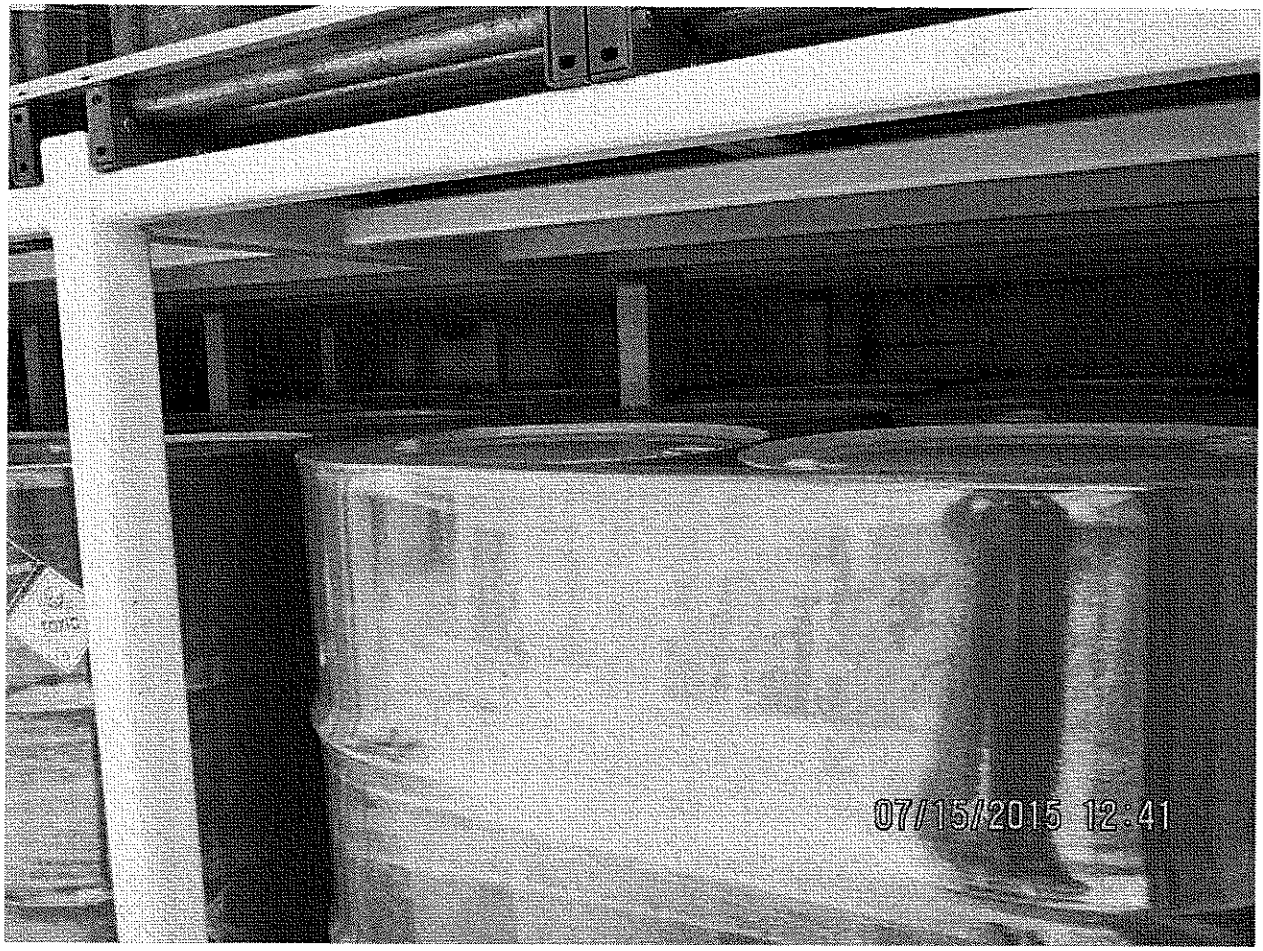
Boehringer Ingelheim Roxane Inc.
OHD981791759

Photograph Number: 2

Photographer: Derrick Samaranski

Photograph Description: Outdoor 90-day storage area showing cell number 3 numbered from left to right.

Boehringer Ingelheim Roxane Inc.
OHD981791759



Photograph Number: 3

Photographer: Derrick Samaranski

Photograph Description: Close-up of the space between hazardous waste containers stored in the outdoor 90-day hazardous waste storage area #14.

ATTACHMENT C
Documents Copied

Document	Date
Copy of the Boehringer Site Plan 1st Floor of Bldg. 1809	07/15/2015
Copy of the Weekly Inspection Forms 04/03/2015 – 07/13/2015	07/15/2015
Copy of the Boehringer Contingency Plan (Description, Control Procedures, Emergency Equipment List, Spill Handling, Emergency Coordinator Contacts, Waste Table)	07/15/2015
Copy of the 2011 Biannual Hazardous Waset Report	07/15/2015

LARGE QUANTITY GENERATOR REQUIREMENTS

COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

CESQG: ≤100 Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]		Yes ☒ No ☐ N/A ☐
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]		Yes ☑ No ☐ N/A ☐
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]		Yes ☒ No ☐ N/A ☐
4.	Were biennial reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] (filed on even years for previous year)		Yes ☒ No ☐ N/A ☐
5.	Are biennial reports kept on file for at least 3 years? [3745-52-40(B)]		Yes ☒ No ☐ N/A ☐
6.	Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]		Yes ☐ No ☒ N/A ☐
7.	Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E)&(F)]		Yes ☐ No ☒ N/A ☐
8.	Does the generator accumulate hazardous waste?		Yes ☒ No ☐ N/A ☐
NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.			
9.	Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02(E)&(F)?		Yes ☐ No ☒ N/A ☐
NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G)&(H).			
10.	Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]		
	a.	Container that meets 3745-66-70 to 3745-66-77?	Yes ☐ No ☐ N/A ☒
	b.	Tank that meets 3745-66-90 to 3745-66-100 except 3745-66-97(C)?	Yes ☐ No ☐ N/A ☑
	c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes ☐ No ☐ N/A ☒

	d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes ☐ No ☐ N/A ☒
NOTE: Complete appropriate checklist for each unit.			
NOTE: If waste is treated to meet LDRs, use LDR checklist.			
11.	Does the generator export hazardous waste? If so:		Yes ☐ No ☒ N/A ☐
	a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	Yes ☐ No ☐ N/A ☒
	b.	Has the generator complied with special manifest requirements? [3745-52-54]	Yes ☐ No ☐ N/A ☒
	c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	Yes ☐ No ☐ N/A ☒
	d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	Yes ☐ No ☐ N/A ☒
	e.	Are export related documents being maintained on-site? [3745-52-57(A)]	Yes ☐ No ☐ N/A ☒
MANIFEST REQUIREMENTS			
12.	Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)(1)]		Yes ☒ No ☐ N/A ☐
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)(1)]&[3745-52-27(A)]		Yes ☒ No ☐ N/A ☐
NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)(1)]			
14.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]		Yes ☒ No ☐ N/A ☐
NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]			
15.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility, did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]		Yes ☐ No ☐ N/A ☒
16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.			
17.	If the generator received a rejected load or residue, did the generator:		
	a.	Sign item 20 of the new manifest or item 18c of the original manifest?	Yes ☐ No ☐ N/A ☒

		[3745-52-23(F)(1)	
	b.	Provide the transporter a copy of the manifest? [3745-52-23(F)(2)]	Yes ☐ No ☐ N/A ☒
	c.	Send a copy of the manifest to the designated facility that returned the shipment with 30 days after delivery of the rejected shipment? [3745-52-23(F)(3)]	Yes ☐ No ☐ N/A ☒
18.	If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter, did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)]		Yes ☐ No ☐ N/A ☒
19.	If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]		Yes ☐ No ☐ N/A ☒
20.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]		Yes ☒ No ☐ N/A ☐
NOTE: A generator who sends a shipment of hazardous waste to a TSD facility with the understanding that the TSD facility can accept and manage the waste and later receives that shipment back as a rejected load or residue may accumulate the waste on-site for <90 days or <180 days depending on the amount of hazardous waste on-site in that calendar month. [3745-52-34(M)]			
NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.			
PERSONNEL TRAINING			
21.	Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)]		Yes ☒ No ☐ N/A ☐
22.	Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)]		Yes ☒ No ☐ N/A ☐
NOTE: For facility employees that receive emergency response training pursuant to OSHA regulations, the facility is not required to provide separate emergency response training, provided that the overall facility training meets all the requirements of OAC 3745-65-16(A). [3745-65-16(A)(4)]			
23.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]		Yes ☒ No ☐ N/A ☐
24.	Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)]		Yes ☒ No ☐ N/A ☐

25.	Does the generator provide refresher training to employees during each period from January 1st to December 31st and does each training occur within 15 months after the previous training? [3745-65-16(C)]		Yes ☒ No ☐ N/A ☐
26.	Does the generator keep records and documentation of:		
	a.	Job titles? [3745-65-16(D)(1)]	Yes ☒ No ☐ N/A ☐
	b.	Job descriptions? [3745-65-16(D)(2)]	Yes ☒ No ☐ N/A ☐
	c.	A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (D)(1) of this rule? [3745-65-16(D)(3)]	Yes ☒ No ☐ N/A ☐
	d.	Completed training or job experience required? [3745-65-16(D)(4)]	Yes ☒ No ☐ N/A ☐
27.	Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)]		Yes ☒ No ☐ N/A ☐

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the -job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

Job Performed	Name of Employee	Date Trained

CONTINGENCY PLAN

28.	Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)]		Yes ☒ No ☐ N/A ☐
29.	Does the plan describe the following:		
	a.	Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)]	Yes ☒ No ☐ N/A ☐
	b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes ☒ No ☐ N/A ☐
	c.	A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)]	Yes ☐ No ☒ N/A ☐
	d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes ☒ No ☐ N/A ☐

	e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes ☑ No ☐ N/A ☐

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 CFR Part 112 or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. The facility may develop one contingency plan which meets all regulatory requirements. Ohio EPA recommends that the plan be based on the "National Response Team's Integrated Contingency Plan Guidance (One Plan)." [3745-65-52(B)]

30.	Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53(A)&(B)]	Yes ☒ No ☐ N/A ☐
31.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54]	Yes ☒ No ☐ N/A ☐
32.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes ☒ No ☐ N/A ☐

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

33.		Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	Yes ☐ No ☒ N/A ☐
	a.	Was the contingency plan implemented? [3745-65-51(B)]	Yes ☐ No ☐ N/A ☒
	b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	Yes ☐ No ☐ N/A ☒
	c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(I)?	Yes ☐ No ☐ N/A ☒

NOTE: OAC 3745-65-51(B) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

PREPAREDNESS AND PREVENTION			
34.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]		Yes ☑ No ☐ N/A ☐
35.	Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:		
	a.	Internal communications or alarm system? [3745-65-32(A)]	Yes ☑ No ☐ N/A ☐
	b.	Emergency communication device? [3745-65-32(B)]	Yes ☑ No ☐ N/A ☐
	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes ☑ No ☐ N/A ☐
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes ☑ No ☐ N/A ☐
NOTE: Verify that the equipment is listed in the contingency plan.			
36.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]		Yes ☒ No ☐ N/A ☐
37.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]		Yes ☒ No ☐ N/A ☐
38.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)]		Yes ☑ No ☐ N/A ☐
39.	If there is only one employee on the premises, is there immediate access to a device (eg. phone, and hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)]		Yes ☐ No ☐ N/A ☒
40.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Outdoor 90-day storage Area lacks of aisle space		Yes ☐ No ☒ N/A ☐
41.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]		Yes ☒ No ☐ N/A ☐
42.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]		Yes ☐ No ☐ N/A ☒
SATELLITE ACCUMULATION AREA REQUIREMENTS			
43.	Does the generator ensure that satellite accumulation area(s):		
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐

	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes ☒ No ☐ N/A ☐
	f.	Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes ☒ No ☐ N/A ☐
44.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:		Yes ☐ No ☒ N/A ☐
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒
	b.	Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒
NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less then 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.			
USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS			
45.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]		Yes ☒ No ☐ N/A ☐
46.	The date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container? [3745-52-34(A)(2)]		Yes ☐ No ☒ N/A ☐
47.	Are hazardous wastes stored in containers which are:		
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes ☒ No ☐ N/A ☐
	b.	In good condition? [3745-66-71]	Yes ☒ No ☐ N/A ☐
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes ☒ No ☐ N/A ☐
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes ☒ No ☐ N/A ☐

NOTE: Record location on process summary sheets, photograph the area, and record on facility map.			
48.	Is the container accumulation areas(s) inspected at least once during the period from Sunday to Saturday? [3745-66-74]		Yes ☒ No ☐ N/A ☐
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes ☒ No ☐ N/A ☐
49.	Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]		Yes ☒ No ☐ N/A ☐
50.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]		Yes ☐ No ☐ N/A ☒
51.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]		Yes ☐ No ☐ N/A ☒
52.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]		Yes ☐ No ☐ N/A ☒
NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.			
53.	If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)]		Yes ☐ No ☐ N/A ☒
NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]			
PRE-TRANSPORT REQUIREMENTS			
54.	Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]		Yes ☒ No ☐ N/A ☐
55.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]		Yes ☒ No ☐ N/A ☐
56.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]		Yes ☒ No ☐ N/A ☐

GENERATOR LDR CHECKLIST DOES NOT APPLY TO CESQGS				
GENERAL REQUIREMENTS				
1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07(A)(7)]			Yes ☐ No ☐ N/A ☒
2.	Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)] If not,			Yes ☒ No ☐ N/A ☐
	a.	Did the generator send the waste to a permitted HW TREATMENT facility? [3745-270-07(A)(1)]		Yes ☒ No ☐ N/A ☐
NOTE: This is done by determining if the HW /soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07(A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).				
3.	Does the generator have documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]			Yes ☒ No ☐ N/A ☐
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]			Yes ☒ No ☐ N/A ☐
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,			Yes ☒ No ☐ N/A ☐
	a.	Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)]		Yes ☒ No ☐ N/A ☐
FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.				
6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]			Yes ☒ No ☐ N/A ☐
NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.				
NOTE: Written documentation of this determination is not required.				
7.	Did the generator treat his HW /soil on-site <u>to meet</u> the LDR treatment standard?			Yes ☐ No ☒ N/A ☐
NOTE: If "Yes" see question #16.				
8.	Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility? [3745-270-07(A)(2)]			Yes ☒ No ☐ N/A ☐
	a.	If the generator chose not to make the determination of whether his waste must be treated, did he send a notice to the TSD facility with each shipment? [3745-270-07(A)(2)] If so, did the notice include:		Yes ☐ No ☐ N/A ☒
		i	Applicable HW codes?	Yes ☐ No ☐ N/A ☒
		ii	Manifest number of the first shipment to the TSD?	Yes ☐ No ☐ N/A ☒
		iii	A statement that conveys that the HW may or may not be subject to the LDR treatment standards and the TSD must make that determination."?	Yes ☐ No ☐ N/A ☒

9.	Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)]			Yes ☒ No ☐ N/A ☐
10.	Does the generator have a copy of the LDR notification form/notice on file? [3745-270-07(A)(2)]			Yes ☒ No ☐ N/A ☐
	a.	Is the form/notice kept on file for three years after last HW shipped? [3745-270-07(A)(8)]		Yes ☒ No ☐ N/A ☐
NOTIFICATION FORM				
11.	Does the LDR Notification form contain the following information:			
	a.	Manifest number of the first waste shipment to the TSD? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
	b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
	c.	A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
	d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.				
	e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories				
	f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.				
	g.	If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.				
PROHIBITED DILUTION				
12.	Is the HW treated by burning? If "No" go to #15.			Yes ☐ No ☒ N/A ☐
13.	Is the HW a metal-bearing HW?			Yes ☐ No ☒ N/A ☐
NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.				
14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless **<u>one</u>** of the following conditions apply. [3745-270-03(c)]		
		i.	Contains > 1% TOC?	Yes ☐ No ☐ N/A ☒
		ii.	Contains organic constituents or cyanide at levels greater than the UTS levels?	Yes ☐ No ☐ N/A ☒
		iii.	Is made up of combustible material e.g., paper, wood, plastic?	Yes ☐ No ☐ N/A ☒

		iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes ☐ No ☐ N/A ☒
		v.	Co-generated with a HW that must be combusted?	Yes ☐ No ☐ N/A ☒
	b.		If all responses to 14 a.i. through 14 a.v. are "No", HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	Yes ☐ No ☐ N/A ☒
15.	Was the HW treated by wastewater treatment?			Yes ☐ No ☒ N/A ☐
	a.		Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	Yes ☐ No ☒ N/A ☐
NOTE: If "Yes", HW is improperly being treated by dilution.				
	b.		Does the waste carry the D001 code and contain ≥10% TOC?	Yes ☐ No ☐ N/A ☒
	c.		Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?	Yes ☐ No ☐ N/A ☒
NOTE: If the answers to b & c are "yes" and "no", respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B)] and 3745-270-40(A)(3)].				
NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.				
GENERATOR TREATMENT				
16.	Does the generator treat to meet LDRs on-site?			Yes ☐ No ☒ N/A ☐
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?			Yes ☐ No ☐ N/A ☒
	If "Yes"...complete the rest of the checklist. If "No"...stop...you are done.			
	a.		Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]	Yes ☐ No ☐ N/A ☒
	b.		Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	Yes ☐ No ☐ N/A ☒
NOTE: This is a laboratory analysis but it does not have to be kept by the generator.				
	c.		Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	Yes ☐ No ☐ N/A ☒
	d.		Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	Yes ☐ No ☐ N/A ☒
	e.		Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	Yes ☐ No ☐ N/A ☒
	f.		Is the WAP available for the inspector's review during the inspection? [3745-270-07(A)(5)(b)]	Yes ☐ No ☐ N/A ☒
NOTIFICATION FORM FOR GENERATOR TREATMENT				
17.	a.		Contains all information in #11 a-g above and	Yes ☐ No ☐ N/A ☒

	b.	If the treated HW/soil is listed.....notification contains the following certification statement: "I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or through knowledge of the waste, to support this certification that the waste complies with the treatment standards specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."			Yes ☐ No ☐ N/A ☒
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:			
		i.	Prepare a one-time notification? [3745-270-09 (D)]		Yes ☐ No ☐ N/A ☒
		ii.	Maintain a copy of the notice onsite? [3745-270-09(D)]		Yes ☐ No ☐ N/A ☒
		iii.	Include in the notification: [3745-270-09(D)]		
			1.	Name & address of receiving landfill?	Yes ☐ No ☐ N/A ☒
			2.	Description of HW when generated?	Yes ☐ No ☐ N/A ☒
			3.	HW code when generated?	Yes ☐ No ☐ N/A ☒
			4.	Treatability group when generated?	Yes ☐ No ☐ N/A ☒
			5.	Underlying hazardous constituents present when generated?	Yes ☐ No ☐ N/A ☒
		iv.	Contain the certification statement as required by 3745-270-07(B)(4)?		Yes ☐ No ☐ N/A ☒

USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.
2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:		Yes ☐ No ☒ N/A ☐
	a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes ☐ No ☐ N/A ☒
NOTE: For example, used oil contaminated scrap metal stored in a pile.			
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]		Yes ☐ No ☒ N/A ☐
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?		Yes ☐ No ☐ N/A ☒
NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).			

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,		Yes ☐ No ☒ N/A ☐
	a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes ☐ No ☐ N/A ☒
NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.			
5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]		Yes ☐ No ☐ N/A ☒
NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.			
6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]		Yes ☒ No ☐ N/A ☐
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]		Yes ☒ No ☐ N/A ☐
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]		Yes ☒ No ☐ N/A ☐

9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]		Yes ☐ No ☐ N/A ☒
	a.	Stopped the release?	Yes ☐ No ☐ N/A ☒
	b.	Contained the release?	Yes ☐ No ☐ N/A ☒
	c.	Cleaned up and properly managed the used oil and other materials?	Yes ☐ No ☐ N/A ☒
	d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes ☐ No ☐ N/A ☒
ON-SITE BURNING IN SPACE HEATER			
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:		
	a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes ☐ No ☐ N/A ☒
	b.	Is the heater designed to have a maximum capacity of not more that 0.5 million BTU per hour?	Yes ☐ No ☐ N/A ☒
	c.	Are the combustion gases from heater vented to the ambient air?	Yes ☐ No ☐ N/A ☒
NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).			
GENERATOR TRANSPORTATION			
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]		Yes ☒ No ☐ N/A ☐
12.	If the generator self-transports used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]		
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes ☐ No ☐ N/A ☒
	b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes ☐ No ☐ N/A ☒
NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).			
COLLECTION CENTERS AND AGGREGATION POINTS			
13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]		Yes ☐ No ☐ N/A ☒
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]		Yes ☐ No ☐ N/A ☒
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]		Yes ☐ No ☐ N/A ☒
NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.			

Inspection Checklist for Subpart CC: Air Emission Standards (Containers)

Item # 40 CFR:

CC-1	**265. 1080**	**Do any of the following exclusions apply? If yes, please circle.**	**YES**	**NO**

Applicability: The air emission requirements apply to units subject to subpart I * unless the following apply (circle if applicable):

1. Waste was placed in unit prior to Oct. 6, 1996, and none has been added since.
2. The container capacity is less than .1 cubic meter (26 gallons)
3. A unit (e.g. tank) has stopped adding waste and is undergoing closure
4. The unit is used solely for onsite treatment or storage as a result of remedial activities required under corrective action, Superfund, or other similar state program
5. The unit is used solely to manage radioactive mixed waste
6. The unit is regulated by and operates in accordance with Clean Air Act regulations

***Note: 1. Satellite containers are exempt 2. CESQG's and SQG's are exempt**

CC-2	**265.1083**	**Do any of the following exemptions apply? If yes, please circle**	**YES**	**NO**

General Standards: The owner/operator must control air emissions from waste management units except the unit is exempt if (please circle if applicable):

1. All hazardous waste entering the unit has an average VO concentration at the point of origination less than 500 parts per million by weight (waste determination required)
2. The organic content of all waste entering the unit has been reduced by one of the 8 acceptable destruction or removal processes.
3. The unit is a tank used for certain biological treatment
4. The hazardous waste placed in the unit meets the LDR numerical concentration limits or has been treated using the specified LDR treatment technology (for organics)
5. The unit is a tank used for bulk feed to an incinerator and meets certain requirements

CC-3	**265.1084**	**Waste Determination:**	Determination Not Needed	**Determination Needed**

Was the VO concentration properly determined for each waste which the facility manages in a unit which does not meet Subpart CC requirements? The concentration must be determined by either direct measurement or knowledge. Please see 265.1084 for specific requirements for measurement and knowledge. Determination is not needed for waste managed in containers which meet standards. It may be necessary to evaluate container management prior to requiring VO concentration determination.

#	NA=Not Applicable, NI=Not Inspected, OK= In Compliance, DF= Deficiency	NA	NI	OK	DF

CONTAINER MANAGEMENT 265.1087

Level 1 OK	Level 2	Level 3
Larger than 26.4 gallons and less than or equal to 122 gallons, or larger than 122 gallons and do not manage H.W. in light material service	Larger than 122 gallons and manage H.W. "in light material service" (definition at 265.1081)	Larger than 26.4 gallons and treat H.W. by a stabilization process

CC-4	**265.1087**	**Controls**	**NA**	**NI**	**OK**	**DF**

One of the following: -Use containers that meet DOT requirements -Use a cover and control with no visible gaps, holes or other open spaces into the interior of the container -Use organic vapor suppression on or above the container 265.1087(c)	One of the following: -Use containers that meet DOT requirements -Use containers that operate with no detectable emissions (method 21) -Use containers that are demonstrated to be vapor-tight within the last 12 months (method 27) 265.1087(d)	-Containers used to stabilize H.W. with volatile organics greater than 500 ppm -For waste stabilized in a container either: 1.container must be vented directly to a control device; or 2.container is vented inside an enclosure which is exhausted through a closed vent to a control device -Conservation vents are not allowed 265.1087(b)(2)

Level 1		Level 2	Level 3			
#	NA=Not Applicable, NI=Not Inspected, OK= In Compliance, DF= Deficiency		NA	NI	OK	DF
CC -5	265.1087	**Waste transfer requirements**				
No waste transfer requirements apply		-Waste transfer requirements apply regardless of container alternative used in level 2 -Transfer waste into or out of a container in such a manner as to minimize exposure of the waste to the atmosphere. Acceptable methods include a submerged fill pipe, vapor recovery system, or fitted opening with a line purge 265.1087(b)(3)	Not applicable			
CC-6	**265.1087**	**Operating requirements**	**NA**	**NI**	**OK**	**DF**
The covers, openings, and closure devices should be closed except: 1. When transferring H.W. in and out of the containers 2. between batch transfer not exceeding 15 minutes between transfer (note: if the person performing the transfer leaves the area, or the process shuts down, the container must be closed) 3. While performing sampling and equipment access 4. Conservation and safety vents are allowed -Containers may be open while performing sampling or equipment access -Safety valves and conservation vents may be used if normally left in close position -A cover need not to be on a RCRA empty container, as defined in 40 CFR 261.7 265.1087(c)(3), (d)(3)			-If the vapors are directly vented to a control device, there are specific design and operating criteria that must be met same as tanks that have closed vent and control device systems -If an enclosure is used, the enclosure must meet the design and operating criteria specified in "Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741 The container, enclosure, control device or closed vent system may have safety relief devices.			
CC-7	**265.1089**	**Inspection requirements**	**NA**	**NI**	**OK**	**DF**
Minimal inspection required: - when facility accepts container and it is not emptied within 24 hours -if wastes are stored greater than a year, then visually inspect once a year If inspections are required, facility must develop written plan and schedule to perform inspection 265.1087(c)(4), (d)(4)			Inspection requirements are the same as for tanks			
CC- 8	**265.1087**	**Repair requirements**	**NA**	**NI**	**OK**	**DF**
When a defect is detected; attempt to repair within 24 hours must be made and: 1. Repair within 5 calendar days or empty and remove the container from service 2. Do not use until defect is repaired 265.1087(c)(4), (d)(4)			Necessary corrective measures shall be immediately implemented to ensure that the control device is operated in compliance			
CC- 9	**265.1090**	**Recordkeeping requirements**	**NA**	**NI**	**OK**	**DF**
-If container exceeds 122 gallons and does not meet DOT standards, records indicating that the container is not managing H.W. in light material service		Since Level 2 waste is "in light material service", no records need to be kept	Depends upon how the organic emissions are vented: -If an enclosure is used, records must be maintained for the most recent set of calculations and measurements performed to verify that the enclosure meets the criteria of a permanent total enclosure (Procedure T) -Records for the closed vent and control device system are the same for those used on tanks(265.1090)(e)			